

UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF TENNESSEE  
AT CHATTANOOGA

UNITED STATES OF AMERICA )  
v. ) Case No. 1:11-CR-19  
KENNETH WAYNE HAFLEY ) Chief Judge Curtis L. Collier

**O R D E R**

Magistrate Judge Susan K. Lee filed a report and recommendation recommending the Court:

(1) grant Defendant's motion to withdraw his not guilty plea to Count Two of the two-count Indictment; (2) accept Defendant's plea of guilty to Count Two; (3) adjudicate Defendant guilty of the charges in Count Two of the Indictment; (4) defer a decision on whether to accept the plea agreement until sentencing; and (5) allow Defendant to remain on bond under appropriate conditions of release pending sentencing in this matter (Court File No. 23). Neither party filed a timely objection to the report and recommendation. After reviewing the record, the Court agrees with the magistrate judge's report and recommendation. Accordingly, the Court **ACCEPTS** and **ADOPTS** the magistrate judge's report and recommendation (Court File No. 23) pursuant to 28 U.S.C. § 636(b)(1) and **ORDERS** as follows:

- (1) Defendant's motion to withdraw his not guilty plea to Count Two the Indictment is **GRANTED**;
- (2) Defendant's plea of guilty to the charges in Count Two is **ACCEPTED**;
- (3) Defendant is hereby **ADJUDGED** guilty of the charges in Count Two;
- (4) A decision on whether to accept the plea agreement is **DEFERRED** until sentencing;  
and
- (5) Defendant **SHALL REMAIN** on bond under appropriate conditions of release

pending sentencing in this matter, which is scheduled to take place on **Thursday, November 3, 2011 at 9:00 a.m.** before the Honorable Curtis L. Collier.

**SO ORDERED.**

**ENTER:**

/s/

**CURTIS L. COLLIER  
CHIEF UNITED STATES DISTRICT JUDGE**